



ROUTINE

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STATE/INR NMCC/MC (DIA) CIA/NMCC NIC NSA TREAS SDO ONE CRS

{ASETO}

DIRECTORATE OF  
OPERATIONS

(SY/I/PIB) NSC/S SS/AID

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SECRET

DIST 15 MARCH 1974

1.5(c)

1. TRIALS OF IMPORTANT CHILEAN POLITICAL PRISONERS WILL BEGIN IN EARLY APRIL, WITH THE ACCUSATION BEING SUBVERSION OF THE ARMED FORCES AND CARABINEROS (UNIFORMED NATIONAL POLICE). OVER 100 PERSONS WILL BE BROUGHT TO TRIAL AT THAT TIME. THE FOUR SERVICES WILL HOLD SEPARATE WARTIME MILITARY TRIBUNALS ("CONSEJOS DE GUERRA"), AND IF AN ACCUSED IS CHARGED WITH TRYING TO SUBVERT MORE THAN ONE SERVICE, THE SERVICES INVOLVED WILL JOIN TOGETHER FOR THE TRIAL. THE ARMY TRIALS ARE SET TO BEGIN ON 1 APRIL AND THE AIR FORCE ON 3 APRIL.

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(classification)

(declass controls)

THE OTHER TWO SERVICES ARE EXPECTED TO ANNOUNCE THEIR DATES  
IN LATE MARCH OR EARLY APRIL!

2. AMONG THOSE TO BE TRIED WILL BE FORMER SOCIALIST PARTY (PS)  
SENATOR ERIC S CHANK E, PS LEADER CARLOS LAZO, AND  
FORMER MINISTER OF DEFENSE JOSE TO H A. A NUMBER OF RETIRED  
COMMISSIONED AND NON-COMMISSIONED OFFICERS OF THE SERVICES  
WILL ALSO BE TRIED AT THIS TIME. THE GOVERNMENT PLANS TO  
REQUEST A 30-YEAR SENTENCE FOR SCHANK E AND 60 YEARS FOR  
LAZO, WHO IS ACCUSED OF DIRECTING THE SUBVERSION OF THE ARMED  
FORCES, A 50-YEAR SENTENCE WILL BE REQUESTED FOR TOHA, BUT  
HE IS NOT EXPECTED TO ATTEND THE TRIAL BECAUSE HE IS SUFFERING  
FROM TERMINAL CANCER OF THE STOMACH. [REDACTED] COMMENT: THE  
PRESS OF 10 FEBRUARY REPORTED THAT TOHA HAD BEEN BROUGHT  
TO SANTIAGO FROM DAWSON ISLAND FOR HOSPITAL TREATMENT.

3. COURT HEARINGS AGAINST PERSONS CHARGED WITH TREASON AND OTHER  
CRIMES KILL BEGIN ON OR ABOUT 1 JUNE. THE DELAY IN THE INITIATION  
OF THESE HEARINGS IS DUE TO SEVERAL FACTORS, FIRST, THE JUNTA  
BELIEVES THAT THE LACK OF PREPARATION FOR THE TRIALS BY THE  
MINISTRY OF JUSTICE IS RELATED TO THE FACT THAT MANY MINISTRY  
OFFICIALS HOLD SENTIMENTS SYMPATHETIC TO THE FORMER POPULAR

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(classification)

(downgrade controls)

UNITY (UP) GOVERNMENT.

1.5 (c)

4. ANOTHER DELAYING FACTOR IS THE FACT THAT THE JUNTA HAS  
BEEN UNABLE TO GET SOMEONE TO ACCEPT THE JOB OF ATTORNEY GENERAL.

1.5 (c)

5. THERE IS ALSO DISAGREEMENT IN THE GOVERNMENT AS TO THE

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#### Answers

#### *Diffusion control*

KIND OF TRIAL STOBE CONDUCTED (CIVIL, **HARTIME MILITARY TRIBUNALS**, OR AD HOC TRIALS MADE UP OF BOTH CIVILIAN AND MILITARY JUDGES). THE PROBLEM ARISES FROM THE TYPE OF CHARGES AGAINST THE PRISONERS, A MIXTURE OF CIVIL (COMMON CRIMES) AND SEMI-MILITARY OFFENSES, FOR EXAMPLE, A MINISTER WHO MISUSED A MINISTRY'S FUNDS TO ORGANIZE A GUERRILLA TRAINING CAMP, WOULD BE CHARGED WITH MISUSE OF PUBLIC FUNDS, VIOLATION OF A MINISTER'S OATH AND CREATING A PARALLEL MILITARY ORGANIZATION THREATENING THE STATE. ANOTHER EXAMPLE WOULD BE THE PASSING TO THE SOVIETS OF CLASSIFIED INDUSTRIAL INFORMATION OBTAINED BY MEMBERS OF THE U.P., FROM AMERICAN COMPANIES. THUS, THE QUESTION OF WHETHER THESE ARE MILITARY OR CIVIL CHARGES AND WHICH TYPE OF COURT SHOULD HEAR THEM IS THE SUBJECT OF CONSIDERABLE DEBATE IN THE GOVERNMENT;

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### 1.5 (c)

sunbeam